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595 MINER ROAD
CLEVELAND, OH 44143

EXAMINER	
SEREBOFF, NEAL	

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3626	

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/595,990	GOTMAN ET AL.	
	Examiner	Art Unit	
	NEAL R. SEREBOFF	3626	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *3/19/2008*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-22* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-22* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *5/24/2006*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____.
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Election/Restrictions

1. In response to the restriction dated 3/13/2008, the Applicant has canceled claims 23 and 24. Claims 1 - 22 are pending.

Notice to Applicant

2. The Information Disclosure Statement (PTO-1449) submitted on 5/24/2006 has been considered.

3. As required by MPEP § 2181(I), claims 1 – 22 are being treated under 35 U.S.C. 112, 6th paragraph.

Claim Objections

4. The specification is objected to as failing to provide proper antecedent basis for the claimed subject matter. See 37 CFR 1.75(d)(1) and MPEP § 608.01(o). Correction of the following is required:

- Claim 5 includes the limitation, "a correct post-processing package which matches patient's limiting parameters" without a corresponding reference within the originally filed Detailed Description. Pre-Grant Publication, paragraph 39 and 40discusses using a User's or Operator's parameters. Claim 5 is therefore understood that the patient's parameters are matched by the Operator's choices as disclosed within paragraphs 39 and 40 and the operator's choices are automatically selected.
- Claim 11 uses the specific optimization parameter corrections of voltage and amperage. There is nothing within the originally filed Specification that includes these specific parameter corrections. This missing information is different than pre-grant publication

paragraph 42 that discusses dose and further described factors for adjusting dosage based upon position.

Claim Rejections - 35 USC § 101

5. 35 U.S.C. 101 reads as follows:

> Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

6. Claims 17 and 19 are rejected under 35 U.S.C. 101 based on Supreme Court precedent, and recent Federal Circuit decisions, a § 101 process must (1) be tied to another statutory class (such as a particular apparatus) or (2) transform underlying subject matter (such as an article or materials) to a different state or thing. Diamond v. Diehr, 450 U.S. 175, 184 (1981); Parker v. Flook, 437 U.S. 584, 588 n.9 (1978); Gottschalk v. Benson, 409 U.S. 63, 70 (1972); Cochrane v. Deener, 94 U.S. 780,787-88 (1876). The process steps in claims (17 and 19) are not tied to another statutory class nor do they execute a transformation. Thus, they are non-statutory.

7. Claim 22 is rejected under 35 U.S.C. 101 because the claimed recitation of a use, without setting forth any steps involved in the process, results in an improper definition of a process, i.e., results in a claim which is not a proper process claim under 35 U.S.C. 101. See for example *Ex parte Dunki*, 153 USPQ 678 (Bd.App. 1967) and *Clinical Products, Ltd.* v. *Brenner*, 255 F. Supp. 131, 149 USPQ 475 (D.D.C. 1966).

Claim Rejections - 35 USC § 112

8. The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

9. Claims 1 – 22 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

- The claims include multiple means for references without corresponding structure within the Specification as required.
- Claim 1 includes the limitation, "A means for controlling the imaging system, which controlling means is coupled to the imaging system and the hospital network and includes." It is not clear from this limitation whether "and includes" refers to the hospital network or the imaging system or the controlling means. The Examiner understands that limitation to be, "A means for controlling the imaging system, which controlling means is coupled to the imaging system and the hospital network and the controlling means includes." Claims 2 – 22 are rejected for the same reasons as they are dependent upon claim 1.

10. Claim 22 provides for the use of claim 1, but, since the claim does not set forth any steps involved in the method/process, it is unclear what method/process applicant is intending to encompass. A claim is indefinite where it merely recites a use without any active, positive steps delimiting how this use is actually practiced.

Claim 22 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Method claim 22 depends upon system claim 1. It is not clear from the claim 22 preamble which statutory class claim 22 belongs. Claim 22 is understood to be a system claim without the addition of any new structural items.

Claim Rejections - 35 USC § 102

11. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

12. ***Claims 1 – 4, 10, 16 – 18, 21 and 22*** are rejected under 35 U.S.C. 102(b) as being anticipated by Koritzinsky et al., U.S. Patent Number 6,272,469.

13. As per claim 1, Koritzinsky, as understood, teaches a medical diagnostic imaging system for acquiring images of a patient, coupled to a hospital network, which includes a hospital database and a plurality of hospital computers, the system comprising:

- A means for controlling the imaging system, which controlling means is coupled to the imaging system(Figure 1, #42) and the hospital network (figure 1, #80) and the controlling means includes:
    - A display (Figure 1, #66),
    - An applications database which is configurable by a user (figure 1, #88) , and
    - An interface means for displaying interactive user interface screens on the display (figure 6), which user interface screens allow the user to configure the applications database and interactively control the imaging system by at least activating icons and buttons displayed thereon (column 11, line 49 through column 12, lines 22) .

Where the controlling means is a computer and the interface means is software.

14. As per claim 2, Koritzinsky teaches the system of claim 1 as described above.

Koritzinsky further teaches the system wherein the interface means includes:

- A protocol configuration means for configuring optimal examination protocols in response to receiving optimization parameters entered by the user into at least data entry fields displayed on the user interface screens (column 15, lines 7 - 32 as shown in figure 11).

Where the protocol configuration means is a GUI.

15. As per claim 3, Koritzinsky teaches the system of claim 2 as described above.

Koritzinsky further teaches the system including:

- A protocol selection means for choosing examination protocols in response to receiving patient's limiting parameters entered by the user into data entry fields displayed on the user interface screens, and displaying the chosen examination protocols on the display from which the user selects a correct examination protocol (figure 11 and column 15, lines 7 – 32 where the protocol selection means is software).

16. As per claim 4, Koritzinsky teaches the system of claim 1 as described above.

Koritzinsky further teaches the system wherein the interface means includes:

- A post-processing configuration means for configuring post-processing packages in response to receiving acquisition and post-processing parameters entered by the user into at least data entry fields displayed on the user interface screens (figure 1, #22 and figure 2, #84 and column 6, lines 7 through column 7, line 34 where the pos-process configuration means is software).

Where the post-processing configuration means is a computer.

17. As per claim 10, Koritzinsky teaches the system of claim 1 as described above.

Koritzinsky further teaches the system including:

- A scanner for acquiring images of a patient (column 4, lines 46 - 67); and
- A protocol selection means for selecting examination protocols in response to receiving patient's limiting parameters entered by the user into data entry fields displayed on the user interface screens (figure 11 and column 15, lines 7 – 32 where the protocol selection means is software).

18. As per claim 16, Koritzinsky teaches the system of claim 10 as described above.

Koritzinsky further teaches the system wherein the interface means includes:

- A log means for automatically recording selected scanner's information including at least patient's information and scanner's running time into a digital log book (column 9, lines 46 – 64 where the data stored in the log file is non-functional descriptive information and the means is a data storage device).

19. As per claim 17, Koritzinsky teaches the system of claim 16 as described above.

Koritzinsky further teaches the system further including:

- A remote statistics means for remotely accessing and mining the digital log book (column 20, lines 11 – 26 where the means is software and remote may either be a remotely executed location or a web browser or a remotely storage of the software from the historical data).

20. As per claim 18, Koritzinsky teaches the system of claim 10 as described above.

Koritzinsky further teaches the system further including:

- A mobile protocol means for remotely specifying and loading examination protocols into the hospital database (column 8, lines 6 – 42, where the means the mobile protocol means is HTTP), wherein the interface means automatically uploads the examination protocols into the scanner (column 14, line 53 through column 15, line 6).

21. As per claim 21, Koritzinsky teaches the system of claim 1 as described above. Koritzinsky further teaches the system wherein the interface means includes:

- A workflow means for guiding the user through the imaging process which workflow means presents the uses interface screens to the user in a subsequent order and prompts the user to enter data including at least patient's data, requested procedure and requesting physician (figure 6 through 16 where the means for guiding is web pages and the entered data represents non-functional descriptive information).

22. As per claim 22, Koritzinsky teaches the system of claim 1 as described above. Koritzinsky further teaches the system including a method of optimizing a throughput of the diagnostic image processing system (The Examiner notes that there are no additional structural limitations and therefore this claim does not have patentable weight.).

Claim Rejections - 35 USC § 103

23. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

24. ***Claims 5 - 9*** are rejected under 35 U.S.C. 103(a) as being unpatentable over Koritzinsky et al., U.S. Patent Number 6,272,469 in view of Okerlund et al., U.S. Pre-Grant Publication Number 2004 /0225331.

25. As per claim 5, Koritzinsky teaches the system of claim 4 as described above.

Koritzinsky, as understood, does not explicitly teach the system wherein the protocol selection means includes:

- A post-processing means for automatically launching a correct post-processing package which matches patient's limiting parameters entered by the user into data entry fields.

However, Okerlund, as understood, teaches the system wherein the protocol selection means includes:

- A post-processing means for automatically launching a correct post-processing package which matches patient's limiting parameters entered by the user into data entry fields (paragraphs 18 and 24 where the selection is automatic or semi-with the user interaction).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add this feature into Koritzinsky. One of ordinary skill in the art at the time of the invention would have added this feature into Koritzinsky with the motivation to use one or more of the several computer-assisted detection, localization and visualization methods available (Okerlund, paragraph 24).

26. As per claim 6, Koritzinsky in view of Okerlund teaches the system of claim 5 as described above.

Koritzinsky does not explicitly teach the system wherein the post-processing means generates post-processed images simultaneously as the images of the patient are acquired.

However, Okerlund further teaches the system wherein the post-processing means generates post-processed images simultaneously as the images of the patient are acquired (The Examiner notes that image generation is impossible before the image is acquired. Therefore, the automatic functionality of figure 1, #110 and paragraphs 18 and 24 is the simultaneous as claimed. However, in the event that the Applicant chooses to adjust the claims so that image generation begins simultaneously to image acquisition, the Examiner takes Official Notice that this feature was present as evidenced by Paley et al., U.S. Pre-Grant Publication 2004/ 0044280 paragraphs 379 and 386 - 388).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add this feature into Koritzinsky. One of ordinary skill in the art at the time of the invention would have added this feature into Koritzinsky with the motivation to use one or more of the several computer-assisted detection, localization and visualization methods available (Okerlund, paragraph 24).

27. As per claim 7, Koritzinsky teaches the system of claim 4 as described above. Koritzinsky does not explicitly teach the system wherein the post-processing images are automatically sent to a reviewing physician's hospital computer.

However, Okerlund further teaches the system wherein the post-processed images are automatically sent to a reviewing physician's hospital computer (figure 1 and paragraph 17 where the initiating event may be manual).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add this feature into Koritzinsky. One of ordinary skill in the art at the time of the invention would have added this feature into Koritzinsky with the motivation to use one or more of the several

computer-assisted detection, localization and visualization methods available (Okerlund, paragraph 24).

28. As per claim 8, Koritzinsky teaches the system of claim 4 as described above. Koritzinsky does not explicitly teach the system wherein the post-processing configuration means includes:

- A visualization configuration means for configuring visualization parameters in response to receiving acquisition and post-processing parameters entered by the user into the data entry fields.

However, Okerlund further teaches the system wherein the post-processing configuration means includes:

- A visualization configuration means for configuring visualization parameters in response to receiving acquisition and post-processing parameters entered by the user into the data entry fields (figure 1, #116 or paragraphs 17 - 19, 21 - 24 where different models are available).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add this feature into Koritzinsky. One of ordinary skill in the art at the time of the invention would have added this feature into Koritzinsky with the motivation to use one or more of the several computer-assisted detection, localization and visualization methods available (Okerlund, paragraph 24).

Where the visualization configuration means is a computer.

29. As per claim 9, Koritzinsky in view of Okerlund teaches the system of claim 8 as described above.

Koritzinsky does not explicitly teach the system wherein the post-processing means includes:

- A visualization means for automatically launching visualization parameters which match patient's limiting parameters entered by the user into data entry fields.

However, Okerlund further teaches the system wherein the post-processing means includes:

- A visualization means for automatically launching visualization parameters which match patient's limiting parameters entered by the user into data entry fields (figure 1, #116 or paragraphs 17 - 19, 21 - 24 where the system works with one image type or Cardiac).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add this feature into Koritzinsky. One of ordinary skill in the art at the time of the invention would have added this feature into Koritzinsky with the motivation to use one or more of the several computer-assisted detection, localization and visualization methods available (Okerlund, paragraph 24).

Where the visualization means is a computer.

30. ***Claim 11*** is rejected under 35 U.S.C. 103(a) as being unpatentable over Koritzinsky et al., U.S. Patent Number 6,272,469 in view of Kawabuchi, U.S. Patent Number 7,062,016.

31. As per claim 11, Koritzinsky teaches the system of claim 10 as described above.

Koritzinsky does not explicitly teach the system wherein the interface means includes:

- A parameters optimization means for automatically selecting optimization parameters based on the selected examination protocol to correct at least one of
    - Voltage supplied to the scanner,
    - Amperage supplied to the scanner, and
    - A doze supplied to the patient.

However, Kawabuchi further teaches the system wherein the interface means includes:

- A parameters optimization means for automatically selecting optimization parameters based on the selected examination protocol to correct at least one of
    - Voltage supplied to the scanner (column 7, line 64 through column 8, line 5),
    - Amperage supplied to the scanner, and
    - A doze supplied to the patient.

It would have been obvious to one of ordinary skill in the art at the time of the invention to add this feature into Koritzinsky. One of ordinary skill in the art at the time of the invention would have added this feature into Koritzinsky with the motivation to set a control parameter for optimization (Kawabuchi column 4, lines 23 – 26 where the means is the RIS).

32. ***Claims 12 - 14*** are rejected under 35 U.S.C. 103(a) as being unpatentable over Koritzinsky et al., U.S. Patent Number 6,272,469 in view of Bocioneck et al. U.S. Pre-Grant Publication Number 2002/ 0085026.

33. As per claim 12, Koritzinsky teaches the system of claim 10 as described above. Koritzinsky does not explicitly teach the system wherein the interface means includes:

- A pre-fetch means for searching the hospital database for previous scans and examinations of the patient, wherein the previous scans and examinations are automatically sent to the physician's hospital computer.

However, Bocioneck further teaches the system wherein the interface means includes:

- A pre-fetch means for searching the hospital database for previous scans and examinations of the patient, wherein the previous scans and examinations are

automatically sent to the physician's hospital computer (paragraph 57 where the means is a computer).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add this feature into Koritzinsky. One of ordinary skill in the art at the time of the invention would have added this feature into Koritzinsky with the motivation to improve work efficiency (Bocioneck, paragraph 57).

34. As per claim 13, Koritzinsky in view of Bocioneck teaches the system of claim 12 as described above. Koritzinsky further teaches the system wherein the parameters and protocols of previous examinations are used in the step of selecting the examination protocol (the Examiner notes that the parameters and protocols used here are non-functional descriptive information and therefore have no patentable weight. As such, this claim does not further limit claim 12).

35. As per claim 14, Koritzinsky in view of Bocioneck teaches the system of claim 12 as described above. Koritzinsky further teaches the system wherein the previous scans have been generated at a different modality and the system utilizes an auto registration technique to display the previous and current scans at the physician's computer (the Examiner notes that language here is the intended use of the of the system and therefore has no patentable weight. As such, this claim does not further limit claim 12).

36. ***Claim 15*** is rejected under 35 U.S.C. 103(a) as being unpatentable over Koritzinsky et al., U.S. Patent Number 6,272,469 in view of Argiro et al. U.S. Patent Number 5,986,662.

37. As per claim 15, Koritzinsky teaches the system of claim 10 as described above. Koritzinsky does not explicitly teach the system wherein the interface means includes:

- A slab review means for merging image slices acquired by the scanner into slabs of selected thickness which is interactively supplied by the user.

However, Argiro further teaches the system wherein the interface means includes:

- A slab review means for merging image slices acquired by the scanner into slabs of selected thickness which is interactively supplied by the user (column 14, lines 33 – 63 or column 23, lines 23 – 33).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add this feature into Koritzinsky. One of ordinary skill in the art at the time of the invention would have added this feature into Koritzinsky with the motivation to permit a user to see through unimportant features of a slice to structures of interest farther in (Argiro, column 23, lines 23 - 33).

38. ***Claim 19*** is rejected under 35 U.S.C. 103(a) as being unpatentable over Koritzinsky et al., U.S. Patent Number 6,272,469 in view of Rothschild et al. U.S. Pre-Grant Publication Number 2002/ 0016718.

39. As per claim 19, Koritzinsky teaches the system of claim 10 as described above. Koritzinsky does not explicitly teach the system further including:

- A measurement protocol configuration means for configuring measurement protocols, which means includes:
    - A measurement selection means for selecting a list of measurements to be performed for each measurement protocol; and
    - A reference image means for selecting a reference image which provides a visual indication of where each individual measurement is placed.

However, Rothschild further teaches the system further including:

- A measurement protocol configuration means for configuring measurement protocols, which means includes (paragraph 150 where the means is a workstation):
    - A measurement selection means for selecting a list of measurements to be performed for each measurement protocol (paragraph 171 where the means is software); and
    - A reference image means for selecting a reference image which provides a visual indication of where each individual measurement is placed (paragraph 150 where the means for selecting is the physician).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add these features into Koritzinsky. One of ordinary skill in the art at the time of the invention would have added these features into Koritzinsky with the motivation to know the exact location of the image inside the body (Rothschild, paragraph 150).

40. ***Claim 20*** is rejected under 35 U.S.C. 103(a) as being unpatentable over Koritzinsky et al., U.S. Patent Number 6,272,469 in view of Rothschild et al. U.S. Pre-Grant Publication Number 2002/ 0016718 as applied to claim 19 above, further in view of Coleman et al., U.S. Patent Number 6,306,089.

41. As per claim 20, Koritzinsky in view of Rothschild teaches the system of claim 19 as described above.

Koritzinsky does not explicitly teach the system further including:

- A measurement updating means for storing the actual measurements.

However, Rothschild further teaches the system further including:

- A measurement updating means for storing the actual measurements (paragraph 235 where the updating means is the database software).

Koritzinsky in view of Rothschild does not explicitly teach the system further including:

- A measurement protocol means for selecting a correct measurement protocol in response to receiving patient's limiting parameters entered by the user into data entry fields displayed on the user interface screens;
- A measurement calculating means for performing actual measurements; and

However, Coleman further teaches the system further including:

- A measurement protocol means for selecting a correct measurement protocol in response to receiving patient's limiting parameters entered by the user into data entry fields displayed on the user interface screens (figure 6 or 7 and column 2, lines 1 - 18 or column 8, lines 10 – 57 where the means for selecting is software);
- A measurement calculating means for performing actual measurements (column 5, lines 5 – 35 or column 6, line 61 through column 7, line 12 where the means for performing is software); and

It would have been obvious to one of ordinary skill in the art at the time of the invention to add this feature into Koritzinsky. One of ordinary skill in the art at the time of the invention would have added this feature into Koritzinsky with the motivation to know the exact location of the image inside the body (Rothschild, paragraph 150).

It would have been obvious to one of ordinary skill in the art at the time of the invention to add these features into Koritzinsky in view of Rothschild. One of ordinary skill in the art at the time of the invention would have added these features into Koritzinsky in view of Rothschild with the

motivation to define custom exam protocols, custom measurements or custom calculations (Coleman, Abstract).

Conclusion

42. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Ranganth, U.S. Patent Number 5,239,591
Roewer, U.S. Patent Number 5,734,915
Oikawa, U.S. Patent Number 5,963,211
Wright et al., U.S. Patent Number 6,004,276
Vilser, U.S. Patent Number 6,621,917
Rothschild et al., U.S. Patent Number 6,678,703
Nolte, U.S. Patent Number 7,085,804
Canessa et al., U.S. Patent Number 7,120,644
Betke et al., U.S. Patent Number 7,206,462
Beane, U.S. Pre-Grant Publication Number 2002/ 0073429
Nolte, U.S. Pre-Grant Publication Number 2002/ 0146159
Berger, U.S. Pre-Grant Publication Number 2002/ 0146159
Razdan et al., U.S. Pre-Grant Publication Number 2005/ 0168460
Viswanth et al., U.S. Pre-Grant Publication Number 2005/ 0206967

Any inquiry concerning this communication or earlier communications from the examiner should be directed to NEAL R. SEREBOFF whose telephone number is (571)270-1373. The examiner can normally be reached on Mon thru Thur from 7:30am to 5pm, with 1st Fri off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Luke Gilligan can be reached on (571) 272-6770. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/N. R. S./
Examiner, Art Unit 3626
6/9/2008

/Robert Morgan/
Primary Examiner, Art Unit 3626